

115TH CONGRESS  
1ST SESSION

# S. 1431

To provide liability protection for volunteer pilots who fly for the public benefit, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 26, 2017

Mr. INHOFE (for himself, Mr. KING, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide liability protection for volunteer pilots who fly for the public benefit, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Volunteer Pilot Protec-  
5       tion Act of 2017”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds the following:

8           (1) Many volunteer pilots fly for the public ben-  
9           efit for nonprofit organizations and provide valuable  
10          services to communities and individuals in need.

1                         (2) In each calendar year volunteer pilots and  
2                         the nonprofit organizations those pilots fly for pro-  
3                         vide long-distance, no-cost transportation for tens of  
4                         thousands of people during times of special need.  
5                         Flights provide patient and medical transport, dis-  
6                         aster relief, and humanitarian assistance, and con-  
7                         duct other charitable missions that benefit the pub-  
8                         lic.

9                         (3) Such nonprofit organizations have sup-  
10                         ported the homeland security of the United States  
11                         by providing volunteer pilot services during and fol-  
12                         lowing disasters and during other times of national  
13                         emergency.

14                         (4) Most other kinds of volunteers are protected  
15                         from liability by the Volunteer Protection Act of  
16                         1997 (42 U.S.C. 14501 et seq.), but volunteer pilots  
17                         are not.

18                         (b) PURPOSES.—The purposes of this Act are to  
19                         amend the Volunteer Protection Act of 1997—

20                         (1) to extend the protection of that Act to vol-  
21                         unteer pilots;

22                         (2) to promote the activities of volunteer pilots  
23                         and the nonprofit organizations those pilots fly for  
24                         in providing flights for the public benefit; and

1                             (3) to sustain and enhance the availability of  
2                             the services that such pilots and nonprofit organiza-  
3                             tions provide, including—

- 4                                 (A) transportation at no cost to financially  
5                             needy medical patients for medical treatment,  
6                             evaluation, and diagnosis;
- 7                                 (B) flights for humanitarian and charitable  
8                             purposes; and
- 9                                 (C) other flights of compassion.

10 **SEC. 3. LIABILITY PROTECTION FOR VOLUNTEER PILOTS**

11                                     **WHO FLY FOR THE PUBLIC BENEFIT.**

12                             Section 4 of the Volunteer Protection Act of 1997  
13 (42 U.S.C. 14503) is amended—

14                                 (1) by redesignating subsections (b) through (f)  
15                             as subsections (c) through (g), respectively;

16                                 (2) in subsection (a), by striking “subsection  
17                             (b) and (d)” and inserting “subsection (b), (c), and  
18                             (e)”;

19                                 (3) by inserting after subsection (a) the fol-  
20                             lowing:

21                                 “(b) **LIABILITY PROTECTION FOR PILOTS THAT FLY**  
22 **FOR PUBLIC BENEFIT.**—Except as provided in sub-  
23 sections (c) and (e), no volunteer of a volunteer pilot non-  
24 profit organization that arranges flights for public benefit  
25 shall be liable for harm caused by an act or omission of

1 the volunteer on behalf of the organization if, at the time  
2 of the act or omission, the volunteer—

3           “(1) was operating an aircraft in furtherance of  
4           the purpose of, and acting within the scope of the  
5           volunteer’s responsibilities on behalf of, the non-  
6           profit organization;

7           “(2) was properly licensed and insured for the  
8           operation of the aircraft;

9           “(3) was in compliance with all requirements of  
10          the Federal Aviation Administration for recent flight  
11          experience; and

12          “(4) did not cause the harm through willful or  
13          criminal misconduct, gross negligence, reckless mis-  
14          conduct, or a conscious, flagrant indifference to the  
15          rights or safety of the individual harmed by the vol-  
16          unteer.”; and

17          (4) in subsection (g)(2), as redesignated, by  
18          striking “(e)” and inserting “(f)”.

